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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PREPARATION OF MICROPARTICLES HAVING IMPROVED FLOWABILITY

the specification of which was filed on December 20, 2001 as Application No. 10/022,859.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at **Covington & Burling**, 1201 Pennsylvania Avenue, N.W., Washington, DC 20004-2401, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
			___ Yes No ___
			___ Yes No ___
			___ Yes No ___

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		___ Yes No ___
		___ Yes No ___
		___ Yes No ___

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☐ no such U.S./PCT applications have been filed.

☒ such U.S./PCT application have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)
09/748,136	December 27, 2000	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

Paul J. Berman	36,744	Andrea G. Reister	36,253	Henry P. Ting	46,278
Kurt Geoffrey Calia	38,702	David P. Ruschke	40,151	Joseph E. Topmiller	P50,580
Thomas W. Krause	40,335	Christopher N. Sipes	39,837	Grady L. White	40,874
Scott B. Markow	46,899	Lee J. Tiedrich	42,184	Anthony S. Yoo	45,540
Jeannie M. Perron	31,180				

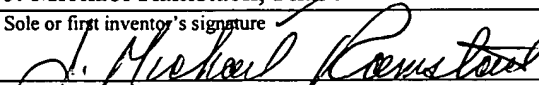
all of **Covington & Burling**, 1201 Pennsylvania Avenue, N.W., Washington, DC 20004-2401, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

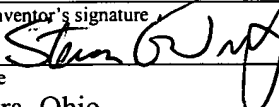
Please mail all correspondence to Andrea G. Reister, whose address is:

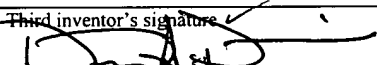
**Covington & Burling**  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2401

Please direct telephone calls to: Andrea G. Reister at (202) 662-5141.

Please direct facsimiles to: (202) 778-5141

Full name of sole or first inventor J. Michael Ramstack, Ph.D.	
Sole or first inventor's signature 	Date 2.22.02
Residence Lebanon, Ohio	
Citizenship US	
Mailing Address  326 W. Orchard Avenue Lebanon, Ohio 45036	

Full name of second inventor, if any Steven G. Wright	
Second inventor's signature 	Date 2/22/02
Residence Madeira, Ohio	
Citizenship US	
Mailing Address  7012 Juniperview Lane Madeira, Ohio 45243	

Full name of third inventor, if any David A. Dickason	
Third inventor's signature 	Date 2/22/02
Residence Cincinnati, Ohio	
Citizenship US	
Mailing Address  4739 Vicbarb Lane Cincinnati, Ohio 45244	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	



Docket No.: 000166.0108-US01  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
J. Michael Ramstack, Ph.D., et al.

Application No.: 10/022,859

Group Art Unit: 1615

Filed: December 20, 2001

Examiner: Not Yet Assigned

For: PREPARATION OF MICROPARTICLES  
HAVING IMPROVED FLOWABILITY

**POWER OF ATTORNEY**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Alkermes Controlled Therapeutics Inc. II, assignee of the entire right title and interest in the above-identified application by assignment submitted herewith, hereby appoints the members of the firm of Covington & Burling, a firm composed of:

Paul J. Berman	36,744	Andrea G. Reister	36,253	Henry P. Ting	46,278
Kurt Geoffrey Calia	38,702	David P. Ruschke	40,151	Joseph E. Topmiller	P50,580
Thomas W. Krause	40,335	Christopher N. Sipes	39,837	Grady L. White	40,874
Scott B. Markow	46,899	Lee J. Tiedrich	42,184	Anthony S. Yoo	45,540
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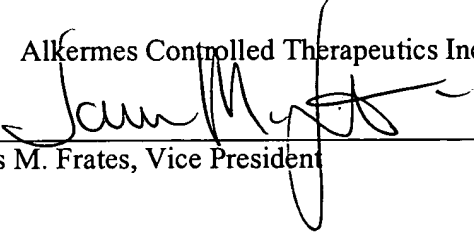
as its attorneys with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

The assignee certifies that it has reviewed the assignment and to the best of the assignee's knowledge and belief, title is in the assignee.

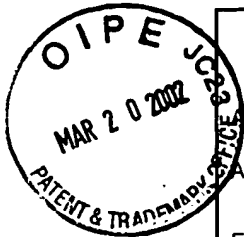
Please direct all correspondence regarding this application to the following:

COVINGTON & BURLING  
Attn: Andrea G. Reister  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2401  
Telephone: (202) 662-6000  
Fax: (202) 662-6291

For: Alkermes Controlled Therapeutics Inc. II

  
\_\_\_\_\_  
James M. Frates, Vice President

Dated: 20 Feb 02



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: J. Michael Ramstack, Ph.D., et al.

Application No./Patent No.: 10/022,859 Filed/Issue Date: December 20, 2001

Entitled: PREPARATION OF MICROPARTICLES HAVING IMPROVED FLOWABILITY

Alkermes Controlled Therapeutics Inc. II, a Corporation  
(Name of Assignee) Type of Assignee, e.g., corporation, partnership, university, government agency, etc.

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

20 Feb 02  
Date

James M. Frates  
Typed or printed name  
[Signature]  
Signature  
Vice President  
Title

## ASSIGNMENT BY INVENTORS

THIS ASSIGNMENT, made this 22<sup>nd</sup> day of February, 2002, by J. Michael Ramstack, Ph.D.; Steven G. Wright; and David A. Dickason (hereinafter referred to as Assignors), residing at 326 W. Orchard Avenue, Lebanon, Ohio 45036; 7012 Juniperview Lane, Madeira, Ohio 45243; and 4739 Vicbarb Lane, Cincinnati, Ohio 45244, respectively;

WHEREAS, Assignors have invented certain new and useful improvements in PREPARATION OF MICROPARTICLES HAVING IMPROVED FLOWABILITY, set forth in a application for Letters Patent of the United States, already filed on December 20, 2001 as U.S. application No. 10/022,859; and

WHEREAS, Alkermes Controlled Therapeutics Inc. II, a Corporation organized under and pursuant to the laws of Pennsylvania having its principal place of business at Alkermes, Inc., 64 Sidney Street, Cambridge, Massachusetts 02139-4136 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said inventions and said Application for Letters Patent of the United States, and in and to any Letters Patent of the United States to be obtained therefore and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, Assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions and application for Letters Patent, and in and to any and all direct and indirect divisions, continuations and continuations-in-part of said application, and any and all Letters Patent in the United States and all foreign countries which may be granted therefore and thereon, and reissues, reexaminations and extensions of said Letters Patent, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by Assignee, for its own use and benefit and the use and benefit of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent may be granted and/or extended, as fully and entirely as the same would have been held and enjoyed by Assignors, had this sale and assignment not been made.



**AND** for the same consideration, Assignors hereby represent and warrant to Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

**AND** for the same consideration, Assignors hereby covenant and agree to and with Assignee, its successors, legal representatives and assigns, that Assignors will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, without charge to Assignee, its successors, legal representatives and assigns, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

**AND** Assignors hereby request the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.

**AND** Assignors hereby grant the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document:

## COVINGTON & BURLING

Paul J. Berman	36,744	Andrea G. Reister	36,253	Henry P. Ting	46,278
Kurt Geoffrey Calia	38,702	David P. Ruschke	40,151	Joseph E. Topmiller	P50,580
Thomas W. Krause	40,335	Christopher N. Sipes	39,837	Grady L. White	40,874
Scott B. Markow	46,899	Lee J. Tiedrich	42,184	Anthony S. Yoo	45,540
Jeannie M. Perron	31,180				

**AND** Assignors acknowledge an obligation of assignment of this invention to Assignee at the time the invention was made.

J. Michael Ramstack  
J. Michael Ramstack, Ph.D.

Date: 2/22/02

United States of America )  
State of Ohio ) ss.:  
County of Hamilton )



VICKI VAUGHN  
Notary Public, State of Ohio  
My Commission Expires 12-13-05

On this 22<sup>nd</sup> day of February, 2002, before me  
personally came J. Michael Ramstack, Ph.D., to me known to be the individual  
described in and who executed the foregoing Assignment by Inventors, and acknowledged  
execution of the same.

Vicki Vaughn  
Notary Public

Steven G. Wright

Steven G. Wright

Date: 2/22/02

United States of America )  
State of Ohio ) ss.:  
County of Hamilton )



VICKI VAUGHN  
Notary Public, State of Ohio  
My Commission Expires 12-13-05

On this 22<sup>nd</sup> day of February, 2002, before me  
personally came Steven G. Wright, to me known to be the individual  
described in and who executed the foregoing Assignment by Inventors, and acknowledged  
execution of the same.

Vicki Vaughn

Notary Public

David A. Dickason

David A. Dickason

Date: 2/22/02

United States of America )  
State of Ohio ) ss.:  
County of Hamilton )



VICKI VAUGHN  
Notary Public, State of Ohio  
My Commission Expires 12-13-05

On this 22<sup>nd</sup> day of February, 2002, before me  
personally came David A. Dickason, to me known to be the individual  
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Vicki Vaughn

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